IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 27TH APRIL 2007 / 7TH VAISAKHA 1929

Crl.MC.No. 1298 of 2007()

(C.C. NO. 86/2006 of CHIEF JUDICIAL MAGISTRATE'S COURT, ERNAKULAM)

PETITIONER:

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1. M.J LUIZ,
   MANAGING PARTNER,
   M/S. JOS ELECTRICALS (AGENCIES)
   KOLATHERIL TOWERS,
   CHITTOOR ROAD, VALANJAMBALAM,
   KOCHI - 682 016.

2. NIZHANT LUIZ,
   S/O. LUIZ,
   C.C. 39/1238, MUKKADAYIL HOUSE,
   KALOOR CROSS ROAD,
   ERNAKULAM

3. P.S SIVADAS,
   III/381-A, PATTARUVEETTIL,
   KATTITHARA SAHAKARANA ROAD,
   MARADU P.O., KOCHI - 682 304.

BY ADV. SRI.K.SURENDRA MOHAN

RESPONDENTS:

STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI. GIKKU JACOB, PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 27/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. M.C NO. 1298 OF 2007

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Dated this the 27th day of April 2007

O R D E R

The petitioners, who are the accused in C.C No. 86/2006 in the file of Chief Judicial Magistrate's Court, Ernakulam with respect to the offence under Section 138 of the Negotiable Instruments Act, have sought for a direction to the court below that there may not be an order of pre-trial detention at the time of their appearance.

2. In the circumstances, the petitioners are directed to surrender before the court below within two weeks from today and file an application for bail. Non bailable warrant is not to be executed in the meantime. Pre-trial detention is not required. The court below shall as far as possible dispose of the application for bail, to be filed on the date of appearance of the petitioners itself.

The Crl. M.C is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

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